

MONDAY, MAY 21, 2001

FORTY-FIRST LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Major Stan Campbell, Tennessee Air National Guard, Nashville, Tennessee.

Representative Bone led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Pruitt; business reasons.

Representative Stanley; business reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 107: Rep(s). Beavers and Rowland as prime sponsor(s).

House Resolution No. 108: Rep(s). Beavers and Rowland as prime sponsor(s).

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House Resolution No. 109: Rep(s). Beavers and Rowland as prime sponsor(s).

House Resolution No. 110: Rep(s). Beavers and Rowland as prime sponsor(s).

House Resolution No. 111: Rep(s). Beavers and Rowland as prime sponsor(s).

House Resolution No. 112: Rep(s). Beavers and Rowland as prime sponsor(s).

House Resolution No. 113: Rep(s). Beavers and Rowland as prime sponsor(s).

House Resolution No. 114: Rep(s). Beavers and Rowland as prime sponsor(s).

House Resolution No. 116: Rep(s). Shepard and Ridgeway as prime sponsor(s).

House Resolution No. 117: Rep(s). Davis (Washington) as prime sponsor(s).

House Resolution No. 119: Rep(s). Phelan and Cole (Dyer) as prime sponsor(s).

House Joint Resolution No. 209: Rep(s). Johnson as prime sponsor(s).

House Joint Resolution No. 428: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 441: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 154: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 782: Rep(s). Langster as prime sponsor(s).

House Bill No. 1383: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 1679: Rep(s). Towns as prime sponsor(s).

House Bill No. 1838: Rep(s). Roach, McKee and Montgomery as prime sponsor(s).

House Bill No. 1914: Rep(s). Turner (Hamilton) as prime sponsor(s).

MESSAGE FROM THE SENATE

May 18, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 257, 289, 705, 869, 872, 1372, 1382, 1387, 1469, 1529, 1633, 1685, 1738, 1955, 1999, 2003, 2004, 2007, 2008, 2009, 2010; also, House Joint Resolution(s) No(s). 28 and 180; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
May 18, 2001**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 257, 289, 705, 869, 872, 1372, 1382, 1387, 1469, 1529, 1663, 1685, 1738, 1955, 1999, 2003, 2004, 2007, 2008, 2009, 2010; also, House Joint Resolution(s) No(s). 28 and 180.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
May 21, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 349, with his approval.

JAY BALLARD, Counsel to the Governor.

**MESSAGE FROM THE SENATE
May 21, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 342; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 342 -- Memorials, Professional Achievement - Allen Ramsey, Tennessee Grand Champion Auctioneer. by *Ramsey.

**MESSAGE FROM THE SENATE
May 22, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 323, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340 and 341; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 280 -- Memorials, Academic Achievement - Chastidyl Wilson, Sevier County High School, Valedictorian. by *Clabough.

Senate Joint Resolution No. 281 -- Memorials, Academic Achievement - Kacie Flynn, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 282 -- Memorials, Academic Achievement - Benjamin Delbert Marsee, Valedictorian, Cookeville High School. by *Burks.

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Senate Joint Resolution No. 283 -- Memorials, Academic Achievement - Anna Marie Hollman, Salutatorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 284 -- Memorials, Academic Achievement - Lori Ann Presley, Valedictorian, Monterey High School. by *Burks.

Senate Joint Resolution No. 285 -- Memorials, Academic Achievement - Daniel Michael Bailey, Salutatorian, Monterey High School. by *Burks.

Senate Joint Resolution No. 286 -- Memorials, Academic Achievement - Jonathan Ryan Medley, Valedictorian, Upperman High School. by *Burks.

Senate Joint Resolution No. 287 -- Memorials, Academic Achievement - Autumn Lee Brown, Salutatorian, Upperman High School. by *Burks.

Senate Joint Resolution No. 288 -- Memorials, Academic Achievement - Timothy Chad Huddleston, Salutatorian, Upperman High School. by *Burks.

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Senate Joint Resolution No. 290 -- Memorials, Academic Achievement - Teresa Marie Pickering, Salutatorian, Cannon County High School. by *Burks.

Senate Joint Resolution No. 291 -- Memorials, Academic Achievement - Debbie Thrasher, Valedictorian, Celina High School. by *Burks.

Senate Joint Resolution No. 292 -- Memorials, Academic Achievement - Terri Jo Kendall, Salutatorian, Celina High School. by *Burks.

Senate Joint Resolution No. 293 -- Memorials, Academic Achievement - Kayla Cherry, Valedictorian, Hermitage Springs High School. by *Burks.

Senate Joint Resolution No. 294 -- Memorials, Academic Achievement - Leslie Biles, Salutatorian, Hermitage Springs High School. by *Burks.

Senate Joint Resolution No. 295 -- Memorials, Academic Achievement - Carol White, Valedictorian, Coffee County Central High School. by *Burks.

Senate Joint Resolution No. 296 -- Memorials, Academic Achievement - Lora Cotten, Salutatorian, Coffee County Central High School. by *Burks.

Senate Joint Resolution No. 297 -- Memorials, Academic Achievement - David Allen Hill, Valedictorian, DeKalb County High School. by *Burks.

Senate Joint Resolution No. 298 -- Memorials, Academic Achievement - Erica Nicole Corley, Salutatorian, DeKalb County High School. by *Burks.

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Senate Joint Resolution No. 304 -- Memorials, Academic Achievement - Daniel Cook, Salutatorian, Macon County High School. by *Burks.

Senate Joint Resolution No. 305 -- Memorials, Academic Achievement - Leslie Holland, Valedictorian, Red Boiling Springs High School. by *Burks.

Senate Joint Resolution No. 306 -- Memorials, Academic Achievement - Leslie Gilliam, Salutatorian, Red Boiling Springs High School. by *Burks.

Senate Joint Resolution No. 307 -- Memorials, Congratulations - Top Gun Cheerleading Academy, four national championships. by *Ramsey.

Senate Joint Resolution No. 308 -- Memorials, Interns - Derek Kenneth Stevens. by *Person, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Person, *Norris, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 309 -- Memorials, Recognition - Peter Gregory Juetten. by *Person.

Senate Joint Resolution No. 311 -- Memorials, Interns - Christopher J. Ing. by *Miller J, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 312 -- Memorials, Death - Judge James Curwood Witt, Sr. by *Miller J.

Senate Joint Resolution No. 313 -- Memorials, Death - Curtis B. Atchley, Sr. by *Wilder, *Clabough, *Burchett, *McNally, *Elsea, *Person, *Norris, *Williams, *Miller J, *Ramsey, *Blackburn, *Fowler, *Crowe, *Haun, *Carter, *Atchley, *Burks, *Cohen, *Cooper J, *Crutchfield, *Davis L, *Dixon, *Ford J, *Graves, *Harper, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *Rochelle, *Trail, *Wilder.

Senate Joint Resolution No. 314 -- Memorials, Academic Achievement - Nathaniel Cleaves, Valedictorian, Westside High School. by *Kyle.

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Senate Joint Resolution No. 316 -- Memorials, Academic Achievement - Sharon T. Agnew, Valedictorian, Gatlinburg Pittman High School. by *Clabough.

Senate Joint Resolution No. 317 -- Memorials, Death - Jeffrey W. Combos. by *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 318 -- Memorials, Academic Achievement - Chris Buckner, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 319 -- Memorials, Personal Occasion - Susan Elizabeth Deakins and Jay Sims Quaintance, wedding. by *Crowe.

Senate Joint Resolution No. 320 -- Memorials, Death - Reverend John Allison. by *Henry, *Haynes, *Cohen.

Senate Joint Resolution No. 321 -- Memorials, Death - Mary Jane Werthan. by *Henry, *Herron, *Haynes, *Harper.

Senate Joint Resolution No. 322 -- Memorials, Retirement - Beecher W. Frasier, Jr. by *Davis L, *Herron, *Cohen.

Senate Joint Resolution No. 323 -- Memorials, Academic Achievement - Valerie Helton, Salutatorian, Oakdale High School. by *Davis L.

Senate Joint Resolution No. 324 -- Memorials, Congratulations - Patrick Powell, 2000 Junior National Pistol Championship. by *Davis L.

Senate Joint Resolution No. 325 -- Memorials, Academic Achievement - Jonathan Ben Laymance, Co-Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 326 -- Memorials, Academic Achievement - Billy Wayne Garrett, III, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 327 -- Memorials, Academic Achievement - Julie Michelle Lassiter, Valedictorian, Oakdale High School. by *Davis L.

Senate Joint Resolution No. 328 -- Memorials, Academic Achievement - Jessica Baskin, Salutatorian, Sunbright School. by *Davis L.

Senate Joint Resolution No. 329 -- Memorials, Academic Achievement - Corrine Leann Vitek, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 330 -- Memorials, Academic Achievement - Jordan Leigh Dyer, Valedictorian, Central High School. by *Davis L.

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Senate Joint Resolution No. 331 -- Memorials, Academic Achievement - Haley Leann McCoy, Co-Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 332 -- Memorials, Academic Achievement - Kristina Mozelle Silvey, Valedictorian, Coalfield School. by *Davis L.

Senate Joint Resolution No. 333 -- Memorials, Academic Achievement - Barney Colt Jackson, Salutatorian, Coalfield School. by *Davis L.

Senate Joint Resolution No. 334 -- Memorials, Academic Achievement - Nathan Henderson, Highest Honors, Sunbright School. by *Davis L, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 335 -- Memorials, Academic Achievement - Averill Chaney, Valedictorian, Sunbright School. by *Davis L.

Senate Joint Resolution No. 336 -- Memorials, Academic Achievement - Stephanie Renee Bradshaw, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 337 -- Memorials, Academic Achievement - Leslie Denise Stevens, Valedictorian, Wartburg Central High School. by *Davis L.

Senate Joint Resolution No. 338 -- Memorials, Academic Achievement - Natalie Lynn Stewart, Valedictorian, Wartburg Central High School. by *Davis L.

Senate Joint Resolution No. 339 -- Memorials, Academic Achievement - Margo Dirkson, Salutatorian, Trousdale County High School. by *Rochelle, *Harper.

Senate Joint Resolution No. 340 -- Memorials, Academic Achievement - Jason Evitts, Valedictorian, Trousdale County High School. by *Rochelle.

Senate Joint Resolution No. 341 -- Memorials, Academic Achievement - Brian Casy Longford, Salutatorian, Gordonsville High School. by *Rochelle.

**MESSAGE FROM THE SENATE
May 21, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 344, 348, 349 and 350; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 344 -- Memorials, Retirement - Dane C. Sorrell. by *Davis L.

Senate Joint Resolution No. 348 -- Memorials, Retirement - Elaine Fitt. by *Graves.

Senate Joint Resolution No. 349 -- Memorials, Professional Achievement - Ernie Roberts, Knox County's High School Teacher of the Year. by *Burchett, *Atchley, *McNally.

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Senate Joint Resolution No. 350 -- Memorials, Academic Achievement - Paul Allen Lee, Graduation from Harpeth High School. by *Jackson, *Kurita.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Bone was recognized in the Well to introduce William A. "Toopie" Cammuse and family, for remarks.

RESOLUTION READ

The Clerk read House Joint Resolution No. 377.

House Joint Resolution No. 377 -- Memorials, Recognition - William A. "Toopie" Cammuse. by *Bone, *Boyer.

RECOGNITION IN THE WELL

Rep. Walker was recognized in the Well to introduce the Shadden family, for remarks.

RESOLUTION READ

The Clerk read House Joint Resolution No. 349.

House Joint Resolution No. 349 -- Memorials, Death - Senator Raymond Shadden and his wife, Evelyn Shadden. by *Walker, *Curtiss, *Rhinehart.

RECOGNITION IN THE WELL

Reps. Ridgeway, Fowlkes and White were recognized in the Well to introduce Mia Evans, Miss Tennessee State University 2001-2002, for remarks.

RESOLUTION READ

The Clerk read House Joint Resolution No. 369.

House Joint Resolution No. 369 -- Memorials, Congratulations - Mia Evans, Miss TSU 2001-2002. by *Ridgeway, *Fowlkes, *White.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 119** -- General Assembly, Statement of Intent or Position - Expresses support for House Resolution 808, pending in United States Congress. by *Pinion, *Shaw, *Shepard, *Buck, *Ridgeway, *Tidwell, *Fitzhugh, *Maddox, *Davidson, *Phelan, *Cole (Dyer).

House Finance, Ways and Means Committee

***House Joint Resolution No. 397** -- Constitutional Amendments - Limits appropriations for general expenditures from state tax revenues to 6 percent of state's annual economy; revenues received in excess of such limitation to be rebated to taxpayers or used to fund reserve for revenue fluctuations. by *Walker, *Kisber, *Head, *Davidson, *McDaniel, *Boyer, *Newton, *Curtiss, *Wood, *Scroggs, *Ford S, *McKee, *McCord, *Kent, *Buck, *Cole (Carter), *Rinks, *Turner (Hamilton), *Bone, *Bittle, *Sargent, *Maddox, *Fitzhugh, *Patton, *Ridgeway.

House Finance, Ways and Means Committee

***House Joint Resolution No. 434** -- General Assembly, Statement of Intent or Position - Urges Tennessee State Veterans' Homes Board to select site for veterans' home. by *Tindell, *Armstrong, *Dunn, *Buttry, *Hagood, *Boyer, *Bittle, *Winningham, *Montgomery, *McCord, *Ferguson, *Johnson, *Windle, *Caldwell.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 23, 2001:

House Resolution No. 123 -- Memorials, Death - William Ponder Adkins. by *Head, *McMillan.

House Joint Resolution No. 436 -- Memorials, Academic Achievement - Lashandra Johnson, Salutatorian, Oakhaven High School. by *Bowers.

House Joint Resolution No. 437 -- Memorials, Academic Achievement - Rory Green, Valedictorian, Oakhaven High School. by *Bowers.

House Joint Resolution No. 438 -- Memorials, Academic Achievement - Barbara Lynn Paxson, Valedictorian, Wooddale High School. by *Bowers.

House Joint Resolution No. 439 -- Memorials, Academic Achievement - Lisa Michelle Hagan, Salutatorian, Wooddale High School. by *Bowers.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 23, 2001:

Senate Joint Resolution No. 280 -- Memorials, Academic Achievement - Chastidy Wilson, Sevier County High School, Valedictorian. by *Clabough.

Senate Joint Resolution No. 281 -- Memorials, Academic Achievement - Kacie Flynn, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 282 -- Memorials, Academic Achievement - Benjamin Delbert Marsee, Valedictorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 283 -- Memorials, Academic Achievement - Anna Marie Hollman, Salutatorian, Cookeville High School. by *Burks.

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Senate Joint Resolution No. 285 -- Memorials, Academic Achievement - Daniel Michael Bailey, Salutatorian, Monterey High School. by *Burks.

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Senate Joint Resolution No. 324 -- Memorials, Congratulations - Patrick Powell, 2000 Junior National Pistol Championship. by *Davis L.

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Senate Joint Resolution No. 325 -- Memorials, Academic Achievement - Jonathan Ben Laymance, Co-Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 326 -- Memorials, Academic Achievement - Billy Wayne Garrett, III, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 327 -- Memorials, Academic Achievement - Julie Michelle Lassiter, Valedictorian, Oakdale High School. by *Davis L.

Senate Joint Resolution No. 328 -- Memorials, Academic Achievement - Jessica Baskin, Salutatorian, Sunbright School. by *Davis L.

Senate Joint Resolution No. 329 -- Memorials, Academic Achievement - Corrine Leann Vitek, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 330 -- Memorials, Academic Achievement - Jordan Leigh Dyer, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 331 -- Memorials, Academic Achievement - Haley Leann McCoy, Co-Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 332 -- Memorials, Academic Achievement - Kristina Mozelle Silvey, Valedictorian, Coalfield School. by *Davis L.

Senate Joint Resolution No. 333 -- Memorials, Academic Achievement - Barney Colt Jackson, Salutatorian, Coalfield School. by *Davis L.

Senate Joint Resolution No. 334 -- Memorials, Academic Achievement - Nathan Henderson, Highest Honors, Sunbright School. by *Davis L.

Senate Joint Resolution No. 335 -- Memorials, Academic Achievement - Averill Chaney, Valedictorian, Sunbright School. by *Davis L.

Senate Joint Resolution No. 336 -- Memorials, Academic Achievement - Stephanie Renee Bradshaw, Valedictorian, Central High School. by *Davis L.

Senate Joint Resolution No. 337 -- Memorials, Academic Achievement - Leslie Denise Stevens, Valedictorian, Wartburg Central High School. by *Davis L.

Senate Joint Resolution No. 338 -- Memorials, Academic Achievement - Natalie Lynn Stewart, Valedictorian, Wartburg Central High School. by *Davis L.

Senate Joint Resolution No. 339 -- Memorials, Academic Achievement - Margo Dirkson, Salutatorian, Trousdale County High School. by *Rochelle, *Harper.

Senate Joint Resolution No. 340 -- Memorials, Academic Achievement - Jason Evitts, Valedictorian, Trousdale County High School. by *Rochelle.

Senate Joint Resolution No. 341 -- Memorials, Academic Achievement - Brian Casy Longford, Salutatorian, Gordonsville High School. by *Rochelle.

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Senate Joint Resolution No. 342 -- Memorials, Professional Achievement - Allen Ramsey, Tennessee Grand Champion Auctioneer. by *Ramsey.

Senate Joint Resolution No. 349 -- Memorials, Professional Achievement - Ernie Roberts, Knox County's High School Teacher of the Year. by *Burchett, *Atchley, *McNally.

Senate Joint Resolution No. 350 -- Memorials, Academic Achievement - Paul Allen Lee, Graduation from Harpeth High School. by *Jackson, *Kurita.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 110** -- Constitutional Amendments - Adds provision stating any right to abortion is only as is protected under U.S. Constitution as interpreted by U.S. Supreme Court from time to time and that nothing in Constitution shall be interpreted to require that any state funds be appropriated to fund or pay for abortion. by *Fowler, *Miller J, *Jackson, *Person, *Burks, *Atchley, *Carter, *Burchett, *Crowe, *Davis L, *Elsea, *Henry, *Norris, *Ramsey, *Williams.

House Health and Human Resources Committee

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 348** -- Taxes - Increases state sales tax by one-half cent effective July 1, 2001; repeals all state taxes effective July 1, 2003. Amends TCA Title 3; Title 4; Title 7; Title 8; Title 9; Title 11; Title 16; Title 18; Title 20; Title 29; Title 30; Title 31; Title 32; Title 35; Title 36; Title 38; Title 39; Title 40; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71. by *Cooper J, *Clabough. (HB1778 by *Rinks, *Fitzhugh)

***Senate Bill No. 463** -- Taxes, Soft Drinks - Excludes manufacturers or bottlers of bottled water from bottlers' gross receipts tax. Amends TCA Section 67-4-402. by *Rochelle. (HB1755 by *Kisber, *Boyer, *Rinks, *Whitson, *McDaniel, *Lewis, *McMillan, *Williams (Williamson), *Langster, *Turner (Shelby), *Cole (Dyer), *Sands)

***Senate Bill No. 1291** -- Medical Occupations - Specifies that upon submission of application and appropriate fees, emergency medical services license to be issued if applicant is Tennessee resident, is employed by service operating in Tennessee, or is non-resident licensed in another state, in good standing, if applicant's state of residence grants same or similar reciprocity privileges to Tennessee residents licensed and in good standing. Amends TCA Title 68, Chapter 140, Part 5. by *Cooper J. (HB1339 by *Shepard)

***Senate Bill No. 1601** -- Equalization Board - Requires county boards of equalization to elect vice chairs. Amends TCA Title 67. by *Ford J. (HB1724 by *DeBerry L)

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***Senate Bill No. 1624** -- Hospitals and Health Care Facilities - Gives private act hospital authority same exemption as metropolitan hospital authority has from payment of state taxes or fees and from payment of all county and municipal taxes; includes same requirement to pay county and municipal fees; authority may agree to payment of tax equivalents to creating or participating governing authority or entity. by *Clabough. (HB1590 by *Rinks)

***Senate Bill No. 1744** -- Tennessee Bureau of Investigation - Confers upon TBI jurisdiction to investigate all cases of fraud against Social Security Administration Title II and Title XVI disability programs without request from district attorney general. Amends TCA Section 38-6-102. by *Jackson, *Haynes. (HB1775 by *McMillan)

Senate Bill No. 1771 -- Dentists - Revises board of dentistry to delete surgeon member and add dentist member instead; authorizes board to set fees and civil penalties; authorizes board to assess punishment of dental practitioners who are disciplined by another state for violations of dentistry standards. Amends TCA Title 63, Chapter 5. by *Person. (*HB1492 by *McMillan)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2014 -- Shelby County -- Local Bill Held on House Desk

House Bill No. 2015 -- Livingston -- Local Bill Held on House Desk

House Bill No. 2016 -- Jackson -- Local Bill Held on House Desk

CONSENT CALENDAR

House Resolution No. 105 -- Memorials, Academic Achievement - Sequoyah Elementary School, highest TCAP reading scores. by *Hagood.

House Resolution No. 106 -- Memorials, Recognition - Harold Smith. by *Phillips.

House Resolution No. 107 -- Memorials, Retirement - Judith Turner. by *Hood.

House Resolution No. 108 -- Memorials, Retirement - Mary Elizabeth Vinson. by *Hood.

House Joint Resolution No. 375 -- Naming and Designating - Rockabilly Music Month, June 2001. by *Kisber.

House Joint Resolution No. 394 -- Memorials, Death - J. W. Clemmons. by *Bone.

House Joint Resolution No. 395 -- Memorials, Interns - Jamie Marie Webb. by *Naifeh.

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House Joint Resolution No. 396 -- Memorials, Interns - Thomas Cale Harris. by *Naifeh.

House Joint Resolution No. 398 -- Memorials, Academic Achievement - Ardis Strong, Valedictorian, Bolton High School. by *Pleasant, *Hargett.

House Joint Resolution No. 399 -- Memorials, Academic Achievement - Anderson P. Heston, Salutatorian, Bolton High School. by *Pleasant, *Hargett.

House Joint Resolution No. 400 -- Memorials, Public Service - Joanne Yeager Dull, Legislative Budget Analysis Specialist. by *Kisber, *Head, *Naifeh.

***House Bill No. 561** -- Criminal Procedure - Requires sex offender registration to include each higher education institution such offender is enrolled in; requires TBI to report sexual offender registration information to law enforcement agencies of higher education institutions. Amends TCA Title 40, Chapter 39, Part 1. by *Boyer. (SB917 by *Burchett)

House Bill No. 2005 -- Williamson County - Subject to local approval, enacts "Williamson County Budget Act of 2001." by *Williams (Williamson), *Sargent. (SB1967 by *Blackburn)

House Bill No. 2011 -- Dickson - Subject to local approval, authorizes legislative body to levy 5 percent occupancy tax. by *Shepard, *Ridgeway. (SB1965 by *Jackson)

***House Bill No. 2012** -- Gibson County - Pursuant to local request, revises tax rate and borrowing authority of Bradford Special School District. Amends TCA Chapter 153 of the Private Acts of 1917. by *Phelan. (SB1976 by *Carter)

***House Bill No. 1366** -- Commerce and Insurance, Dept. of - Increases business fees paid to department by insurance companies, insurance agents, HMOs, and automobile club or associations. Amends Tennessee Code Title 55, Chapter 18, Part 1, and Title 56, Chapters 2, 4, 6, 14, 32, and 35. by *Sargent. (SB1643 by *Atchley, *Clabough, *Henry)

Rep. Kisber moved that all members voting aye on House Joint Resolution No. 400 be added as sponsors, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2005: by Rep. Williams

House Bill No. 1366: by Reps. West and Arriola

Under the rules, House Bill(s) No(s). 2005 and 1366 was/were placed at the foot of the calendar for May 23, 2001.

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Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1749 -- Firearms and Ammunition - Requires TBI to deny attempted purchase of firearm if purchaser is charged with offense that, if convicted, would prohibit person from purchasing firearm and provides procedure whereby TBI is required to reverse such denial. Amends TCA Title 39, Chapter 17, Part 13. by *Turner (Hamilton). (*SB1728 by *Crowe)

Further consideration of House Bill No. 1749 previously considered on May 16, 2001, at which time it was reset for today's Calendar.

Rep. Turner (Hamilton) moved that House Bill No. 1749 be reset for the Regular Calendar on May 28, 2001, which motion prevailed.

House Bill No. 875 -- Insurance, Health, Accident - Enacts "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act." Amends TCA Title 56. by *Kisber, *Jones, S.. (*SB333 by *Clabough)

Further consideration of House Bill No. 875 previously considered on May 10, 2001, May 14, 2001, May 16, 2001 and May 17, 2001, at which time it was reset for today's Calendar.

Rep. Kisber requested that House Bill No. 875 be moved to the heel of the Calendar.

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House Bill No. 1614 -- Sunset Laws - Judicial selection commission, June 30, 2007; limits members to two terms. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Kernell, *Brooks, *Cooper B. (*SB40 by *Harper)

Further consideration of House Bill No. 1614 previously considered on May 16, 2001 and May 17, 2001, at which time it was reset for today's Calendar.

Rep. Brooks requested that House Bill No. 1614 be moved down 5 places on the Calendar.

House Bill No. 1339 -- Medical Occupations - Specifies that upon submission of application and appropriate fees, emergency medical services license to be issued if applicant is Tennessee resident, is employed by service operating in Tennessee, or is non-resident licensed in another state, in good standing, if applicant's state of residence grants same or similar reciprocity privileges to Tennessee residents licensed and in good standing. Amends TCA Title 68, Chapter 140, Part 5. by *Shepard. (*SB1291 by *Cooper J)

Rep. Shepard requested that House Bill No. 1339 be moved down 10 places on the Calendar.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 1559 -- Safety - Alters certain requirements pertaining to use of certain restraint systems in passenger motor vehicles. Amends TCA Title 55, Chapter 9, Part 6. by *Brooks. (*SB1731 by *Ford J)

Rep. Brooks moved that House Bill No. 1559 be reset for the Regular Calendar on May 24, 2001, which motion prevailed.

***House Joint Resolution No. 209** -- Memorials, Congress - Urges governor and congressional delegation to seek emergency appropriation of federal funds to provide cost-share assistance to private non-industrial forest landowners for reforestation measures to mitigate damage caused by current Southern Pine Beetle epidemic. by *McKee, *Walker, *Windle, *Bone.

Rep. McKee moved that House Joint Resolution No. 209 be adopted.

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Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 209 by deleting the two resolving clauses of the introduced resolution in their entirety and by substituting instead the following language:

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That this General Assembly encourages efforts to provide adequate monitoring and assessment of Southern Pine Beetle damage, including mitigation measures that might be achieved through an emergency appropriation of federal funds for cost-share assistance to private non-industrial forest landowners for purposes of reforestation.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be transmitted to each member of the Tennessee Congressional delegation.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. McKee moved that **House Joint Resolution No. 209**, as amended, be adopted, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1838 -- Salaries and Benefits - Requires time and one-half payment to state employee eligible to receive overtime pay for any hours worked on state holiday or if such employee is not at work due to state holiday or on approved leave or compensatory time and is required to return to work on such holiday, or prior to expiration of approved leave. Amends TCA Title 8. by *Fitzhugh, *Givens, *McMillan, *Cole (Dyer), *Rinks. (*SB1760 by *Haun)

Rep. Fitzhugh moved that House Bill No. 1838 be passed on third and final consideration.

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On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1838 by deleting all language following the enacting clause of the printed bill as amended and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-23-201, is amended by adding the following as a new subsection:

(d) The department shall develop a policy, which will address the issues of holiday and callback compensation for state employees. Such policy may use cash compensation, compensatory time, or other means to address the issue. The policy will take into consideration current market factors, local pay practices and input from affected departments.

SECTION 2. The act shall take effect on July 1, 2001, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Fitzhugh moved that **House Bill No. 1838**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

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House Bill No. 1755 -- Taxes, Soft Drinks - Excludes manufacturers or bottlers of bottled water from bottlers' gross receipts tax. Amends TCA Section 67-4-402. by *Kisber, *Boyer, *Rinks, *Whitson, *McDaniel, *Lewis, *McMillan, *Williams (Williamson), *Langster, *Turner (Shelby), *Cole (Dyer), *Sands. (*SB463 by *Rochelle)

On motion, House Bill No. 1755 was made to conform with **Senate Bill No. 463**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 463 be passed on third and final consideration.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Newton moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 463 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 67-4-402(b), is amended by adding the following language at the end of the first sentence in subdivision (1):

Provided, however, the provisions of this subdivision shall not apply to proceeds derived from the sale of bottled water, as defined in subsection (a)(2), in containers larger than three (3) gallons.

Rep. Kisber moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	42
Noes	48
Present and not voting	1

Representatives voting aye were: Armstrong, Boyer, Brooks, Brown, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Davidson, DeBerry J, DeBerry L, Fitzhugh, Fowlkes, Garrett, Head, Hood, Kent, Kernell, Kisber, Maddox, McDaniel, McMillan, Miller, Montgomery, Odom, Patton, Phelan, Pinion, Ridgeway, Rinks, Sands, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Hamilton), White, Whitson, Williams, Mr. Speaker Naifeh -- 42.

Representatives voting no were: Arriola, Baird, Beavers, Bittle, Black, Bone, Buck, Bunch, Buttry, Chumney, Clem, Curtiss, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Ford, Fraley, Givens, Godsey, Goins, Hargett, Harwell, Johnson, Langster, McCord, McDonald, McKee, Mumpower, Newton, Overbey, Phillips, Pleasant, Rhinehart, Roach, Rowland, Sargent, Scroggs, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, Windle, Winningham, Wood -- 48.

Representatives present and not voting were: Bowers -- 1.

BILL RE-REFERRED

Rep. Kisber moved to re-refer Senate Bill No. 463 to the House Committee on Calendar and Rules, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 1614 -- Sunset Laws - Judicial selection commission, June 30, 2007; limits members to two terms. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Kernell, *Brooks, *Cooper B. (*SB40 by *Harper)

Further consideration of House Bill No. 1614 previously considered on today's Calendar.

On motion, House Bill No. 1614 was made to conform with **Senate Bill No. 40**; the Senate Bill was substituted for the House Bill.

Rep. Brooks moved that Senate Bill No. 40 be passed on third and final consideration.

Rep. Davidson requested that Amendment No. 1 be placed at the heel of the Amendments.

Rep. Davidson requested that Amendment No. 2 be placed at the heel of the Amendments.

Rep. Davidson moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 40 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is amended by deleting from the first sentence of subsection (a) the language "fifteen (15)" and substituting instead the language "seventeen (17)".

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is further amended by deleting the word "and" at the end of subsection (a)(4); by deleting the period at the end of subsection (a)(5) and substituting instead a semi-colon and the word "and"; and by adding the following language as a new subsection (a)(6):

(a)(6) Two (2) members who shall be lawyers but who shall not be nominated by a group.

SECTION _____. Tennessee Code Annotated, Section 17-4-102, is further amended by deleting from the first sentence of subsection (b)(1) the language "conference and one (1) of the nonlawyer members" and substituting instead the language "conference, one (1) of the nonlawyer members and one (1) of the lawyer members not nominated by a group".

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SECTION ____ Tennessee Code Annotated, Section 17-4-102, is further amended by deleting from the first sentence of subsection (b)(1) the language "lawyers and one (1) of the nonlawyer members" and substituting instead the language "lawyers, one (1) of the nonlawyer members and one (1) of the lawyer members not nominated by a group".

SECTION ____ Tennessee Code Annotated, Section 17-4-102, is further amended by adding the following new subsection (e)(3):

(3) The initial term of the lawyer members not nominated by a group shall be for four (4) years.

Rep. Bunch requested that Senate Bill No. 40 be moved to the heel of the Calendar.

***House Bill No. 1914** -- Transportation, Dept. of - Requires department approval to open newly constructed or converted railroad crossings to vehicular traffic. Amends TCATitle 65, Chapter 11. by *Newton. (SB1887 by *Haun)

On motion, House Bill No. 1914 was made to conform with **Senate Bill No. 1887**; the Senate Bill was substituted for the House Bill.

Rep. Newton moved that Senate Bill No. 1887 be passed on third and final consideration.

On motion, Rep. Ridgeway withdrew Transportation Committee Amendment No. 1.

Rep. Newton moved that **Senate Bill No. 1887** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes92
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kemell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

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***House Bill No. 1383** -- Boards and Commissions - Authorizes division of health related boards and subordinate boards to use screening panels to filter complaints. Amends TCA Title 63 and Title 68. by *Hagood, *Boyer. (SB1660 by *Rochelle, *Atchley)

Rep. Hagood moved that House Bill No. 1383 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1383 by deleting subsection (a) of the amendatory language of Section 1 in its entirety and substituting instead the following:

SECTION ____.

(a) The Boards of Examiners in Psychology, Osteopathic Examination, Veterinary Medical Examiners, Occupational and Physical Therapy Examiners, and the Tennessee Emergency Medical Services Board as established in this Title and in Title 68, may utilize one (1) or more screening panels in their investigative and disciplinary process to assure that complaints filed and investigations conducted are meritorious, and to act as a mechanism for diversion, to professional peer review organizations and/or impaired professionals associations or foundations, those cases which the above boards, through established guidelines, deem appropriate.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1383 by adding the following new subsections at the end of the amendatory language of Section 1 and Section 2:

(d) Members of a screening panel may be drawn from among the membership of the relevant board or members may be appointed by the relevant board. Nonboard members shall meet the requirements of membership for the relevant board and may include a consumer member. A board member serving on a panel shall not participate in a contested case involving any matter heard by the panel.

(e) Each screening panel shall be instructed as to the statutes, rules, regulations and philosophies of the relevant board as it pertains to disciplinary action and to the procedures to be followed by the panels. Each screening panel shall be provided a copy of Rule 31 of the Rules of the Tennessee Supreme Court for review by members of the screening panel for general guidance as to the principles of mediation and alternative dispute resolution.

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(f) A board does not have authority to compel any party to participate in a screening panel and no prejudice will be incurred if the party chooses not to participate or to accept the offer of the screening panel.

On motion, Health and Human Resources Committee Amendment No. 2 was adopted.

Rep. Brooks requested that House Bill No. 1383 be moved to the heel of the Calendar.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1459** -- Taxes, Sales - Authorizes state to continue participation in multi-state discussions concerning streamlining and simplification of sales and use tax administration. Amends TCA Title 67, Chapter 6, by *Kisber. (SB1722 by *Cooper J)

On motion, House Bill No. 1459 was made to conform with **Senate Bill No. 1722**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 1722** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

MONDAY, MAY 21, 2001 – FORTY-FIRST LEGISLATIVE DAY

House Bill No. 743 -- Workers' Compensation - Requires all proposed workers' compensation settlements be approved by administrator of division of workers' compensation. Amends TCA Title 50, Chapter 6. by *West, *Jones, S.. (*SB392 by *Graves)

Rep. West moved that House Bill No. 743 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 743 by deleting Section 1 in its entirety and by substituting instead the following language as a new SECTION 1:

SECTION 1. Tennessee Code Annotated, Section 50-6-208, is amended by adding the following as a new subsection:

(g)(1) Before any proposed settlement is considered final in cases involving benefits from the second injury fund under this section, it shall either:

(A) Have the written approval of the commissioner of labor and workforce development, or the commissioner's designee, in accordance with the provisions of subdivision (2) of this subsection; or

(B) Have been approved in accordance with the provisions of Section 20-13-103.

(2) The commissioner of labor and workforce development is authorized to settle certain second injury fund claims without the necessity of complying with Section 20-13-103, provided that the attorney general and reporter, with the written approval of the governor and the comptroller of the treasury, shall set specific limits and conditions on such settlement authority.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. West moved that **House Bill No. 743**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	3

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Brooks, Hargrove, Turner (Shelby) -- 3.

A motion to reconsider was tabled.

House Bill No. 1844 -- Election Laws - Revises election law. Amends TCA Title 2, Chapter 19, Part 1; Section 2-2-107; Section 2-2-109; Section 2-2-116; Section 2-2-124; Section 2-3-107; Section 2-4-103; Section 2-4-109; Section 2-5-102; Section 2-5-204; Section 2-7-104; Section 2-7-133; Section 6-53-101; Section 8-8-102 and Section 49-2-504. by *Hargrove. (*SB1487 by *Rochelle)

On motion, House Bill No. 1844 was made to conform with **Senate Bill No. 1487**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that Senate Bill No. 1487 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. West moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1844 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 6-53-101, is amended by adding the following language as a new subsection (c):

(c) Notwithstanding any provision of this chapter or Title 2, Chapter 1, Part 1, to the contrary, in any municipality in any county having a metropolitan form of government and a population of more than one hundred thousand (100,000) according to the 1990 federal census or any subsequent federal census, and in any municipality incorporated pursuant to the provisions of title 6, chapter 18, having a population of not less than eleven thousand two hundred (11,200) nor more than eleven thousand three hundred (11,300) according to the 1990 federal census or any subsequent federal census, which lies within both a county having a metropolitan form of government and a population in excess of one hundred thousand (100,000) according to the 1990 federal census or any subsequent federal census and a county having a population of not less than one hundred three thousand one hundred (103,100) nor more than one hundred three thousand four hundred (103,400) according to the 1990 federal census or any subsequent federal census, for the purposes of meeting notice requirements relative to elections a "newspaper of general circulation" includes a publication bearing a title or name, regularly issued at least as frequently as once a week whether or not such publication is sold for a definite price if a definite price is charged for some or all advertisements placed in such publication, having a third-class mailing privilege, being not less than four (4) pages, published continuously during the immediately preceding one-year period, which is published for the dissemination of news of general interest to the community which it serves, and is circulated generally in the municipality in which it is published and in which notice is to be given.

On motion, State and Local Government Committee Amendment No. 2 was adopted.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3.

Rep. Hargett moved the previous question, which motion prevailed.

Rep. Hargrove moved that **Senate Bill No. 1487**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	3
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 89.

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Representatives voting no were: Brooks, Brown, Towns -- 3.

Representatives present and not voting were: Bunch, Chumney, Cooper, Kernell, Turner (Shelby) -- 5.

A motion to reconsider was tabled.

House Bill No. 1339 -- Medical Occupations - Specifies that upon submission of application and appropriate fees, emergency medical services license to be issued if applicant is Tennessee resident, is employed by service operating in Tennessee, or is non-resident licensed in another state, in good standing, if applicant's state of residence grants same or similar reciprocity privileges to Tennessee residents licensed and in good standing. Amends TCA Title 68, Chapter 140, Part 5. by *Shepard. (*SB1291 by *Cooper J)

Further consideration of House Bill No. 1339 previously considered on today's Calendar.

Rep. Ridgeway requested that House Bill No. 1339 be moved to the heel of the Calendar.

House Bill No. 154 -- Local Government, General - Allows, instead of requires, local governments to set and collect processing fee in amount that is equal to amount paid third-party processor for processing credit card or debit card payment. Amends TCA Section 9-1-108. by *Caldwell, *Armstrong, *Bunch, *Hargett. (*SB92 by *McNally, *Davis L)

On motion, House Bill No. 154 was made to conform with **Senate Bill No. 92**; the Senate Bill was substituted for the House Bill.

Rep. Caldwell moved that Senate Bill No. 92 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 92 By deleting Sections 2 and 3 in their entirety, as amended, and by substituting instead the following new sections to be designated as follows, and renumbering subsequent sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 9-1-108(c)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

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(1) Upon adoption of a resolution or ordinance by the appropriate governing body, it is lawful for any municipal or county entity or officer to receive payment by credit card or debit card for any public taxes, licenses, fines, fees or other moneys collected by such municipal or county entity or officer. If prior to the effective date of this act, a municipal or county entity or officer had been receiving payment by credit card or debit card for such purposes, then such entity or officer may continue to accept such payments by such cards and collect a processing fee under the provisions of law in effect prior to the effective date of this act until the appropriate governing body of such municipal or county entity enacts a resolution or ordinance for such purposes or January 1, 2002, whichever occurs first.

SECTION 3. Tennessee Code Annotated, Section 9-1-108(c)(3), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(3) Except as provided in subdivision (1), any municipal or county entity or officer collecting payment by credit card or debit card pursuant to the provisions of this subsection shall not be permitted to collect a processing fee for payments received through the use of such cards.

SECTION 4. Tennessee Code Annotated, Section 9-1-108(c), is further amended by deleting subdivisions (5), (6) and (7) in their entirety.

On motion, State and Local Government Committee Amendment No. 2 was adopted.

Rep. Caldwell moved that **Senate Bill No. 92**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

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House Bill No. 782 -- Welfare - Allows state, pursuant to federal statute, to exempt individual convicted of felony involving possession, use, or distribution of controlled substance from federal prohibition against eligibility for Families First program and for food stamps if such individual is in treatment for substance abuse or has completed treatment. Amends TCA Title 71, by *Briley, *Arriola, *Pruitt. (*SB264 by *Harper)

Rep. Briley moved that House Bill No. 782 be reset for the second Regular Calendar of 2002, which motion prevailed.

***House Bill No. 1385** -- Hospitals and Health Care Facilities - Adds renal dialysis clinics to list of health care facilities licensed and regulated by department of health. Amends TCA Title 68, Chapter 11, by *Armstrong, *McDaniel, *Pruitt. (SB1662 by *Ford J, *Atchley)

Rep. Armstrong moved that House Bill No. 1385 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1385 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. In addition to any filing or hearing required by Tennessee Code Annotated, Title 4, Chapter 5, the department shall file a notice of proposed rulemaking concerning any rules promulgated pursuant to the provisions of this act with the house health and human resources committee and the senate general welfare, health and human resources committee at least thirty (30) days prior to the filing of such rule with the secretary of state pursuant to Tennessee Code Annotated, Title 4, Chapter 5. The department shall offer to present the substance of such rules in hearings to the house health and human resources committee and the senate general welfare, health and human resources committee before the hearing of such rule by the government operations committees. No such rule may be filed with the secretary of state unless the department has complied with the provisions of this section.

SECTION _____. The provisions of this act shall expire on July 1, 2003.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Armstrong moved that **House Bill No. 1385**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1287 -- General Assembly, Studies - Extends special committee to study issues relating to natural gas distribution and deregulation of natural gas in Tennessee from February 1, 2001, until February 1, 2003. Amends TCA Section 7-82-301 and Title 65, by *Armstrong, *Curtiss, *Fitzhugh, *Cole (Carter), *McDaniel, *Tindell. (*SB582 by *Haynes, *Burks)

On motion, House Bill No. 1287 was made to conform with **Senate Bill No. 582**; the Senate Bill was substituted for the House Bill.

Rep. Armstrong moved that Senate Bill No. 582 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Armstrong moved that **Senate Bill No. 582** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

MONDAY, MAY 21, 2001 – FORTY-FIRST LEGISLATIVE DAY

***House Bill No. 466** -- Administrative Procedure (UAPA) - Requires that all mandatory instructions and payment methodology for service providers used by department of mental health and developmental disabilities shall be promulgated as UAPA rules and be consistent among same classes of providers. Amends TCA Title 33. by *Maddox, *Kisber, *Fitzhugh. (SB1140 by *Herron)

Rep. Maddox moved that House Bill No. 466 be reset for the Regular Calendar on May 24, 2001, which motion prevailed.

House Bill No. 1679 -- Basic Education Program (BEP) - Allows any state BEP funds to be used for salary adjustments or improvements. Amends TCA Section 49-3-306 and Section 49-3-351. by *Maddox, *Winningham. (*SB346 by *Cooper J)

On motion, House Bill No. 1679 was made to conform with **Senate Bill No. 346**; the Senate Bill was substituted for the House Bill.

Rep. Maddox moved that Senate Bill No. 346 be passed on third and final consideration.

On motion, Rep. Winningham withdrew Education Committee Amendment No. 1.

Rep. Cooper moved the previous question, which motion prevailed.

Rep. Maddox moved that **Senate Bill No. 346** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Westmoreland -- 1.

Representatives present and not voting were: Turner (Hamilton) -- 1.

A motion to reconsider was tabled.

MONDAY, MAY 21, 2001 – FORTY-FIRST LEGISLATIVE DAY

House Bill No. 921 -- Sunset Laws - Department of mental health and developmental disabilities, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Brooks, *Cooper B. (*SB114 by *Harper)

On motion, House Bill No. 921 was made to conform with **Senate Bill No. 114**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 114 be passed on third and final consideration.

On motion, Rep. Brooks withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 114** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 922 -- Sunset Laws - Department of mental health and development disabilities, statewide planning and policy council, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 1. by *Kernell, *Brooks, *Cooper B. (*SB117 by *Harper)

On motion, House Bill No. 922 was made to conform with **Senate Bill No. 117**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 117 be passed on third and final consideration.

On motion, Rep. Brooks withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 117** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

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Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 926 -- Sunset Laws - Child welfare licensing board of review, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 3. by *Kernell, *Brooks, *Cooper B. (*SB83 by *Harper)

On motion, House Bill No. 926 was made to conform with **Senate Bill No. 83**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 83 be passed on third and final consideration.

Rep. Brooks moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 83 By deleting the amendatory language of Section 2 in its entirety and by substituting instead the following:

() Child welfare agency licensing board of review, created by Section 71-3-510;

Rep. Kernell moved adoption of Amendment No. 1 to Amendment No. 1 as follows:

Amendment No. 1 to 1

AMEND Senate Bill No. 83 By deleting in the amendatory language of Section 1 the word "welfare" and by substituting instead the word "care".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Brooks moved that Amendment No. 1 as amended, be adopted which motion prevailed.

Rep. Arriola moved that Senate Bill No. 83 be reset for the Regular Calendar on May 24, 2001, which motion prevailed.

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House Bill No. 110 -- Dams - Requires contractor building in flood plain below dam to post bond for necessary dam improvements; bond to be in amount sufficient to cover reasonable cost of necessary enlargement, repair, or alteration of dam and administrative cost. Amends TCA Title 69, Chapter 12, Part 1. by *McDonald, *Bone. (*SB6 by *Graves)

Rep. McDonald moved that House Bill No. 110 be passed on third and final consideration.

Rep. Garrett moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 110 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 69, Chapter 12, Part 1, is amended by adding the following appropriately designated new section:

Section 69-12-127.

(a)(1) The department of environment and conservation shall provide to the executive officer of each local government in this state an inventory of the existing dams located within the jurisdiction of such local government.

(2) The executive officer of the local government shall be responsible for providing such inventory to the agency of such local government responsible for the issuance of building permits, if such local government requires the issuance of a building permit prior to the initiation of construction of a structure or facility or the alteration of an existing structure or facility.

(b)(1) When application is made to a local government described in subsection (a), or the appropriate agency thereof, for a building permit to construct a structure or facility or to alter an existing structure or facility, the local government, or appropriate agency thereof, shall notify the applicant if the proposed structure or facility or alteration of an existing structure or facility is located downstream of an existing dam.

(2) Prior to issuing a building permit to construct any proposed structure or facility or to alter any existing structure or facility located downstream from an existing dam, the local government, or appropriate agency thereof, shall inform the applicant of the following:

(A) That the proposed construction or alteration could potentially be affected by the failure of such dam and thus the hazard category of such dam may be reclassified; and

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(B) That the applicant may be liable for any improvements to such dam necessitated by the reclassification of the hazard category of such dam or the classification of such dam, if the dam has not previously been classified.

(3) The applicant shall inform the real property owner in accordance with section (b)(2) of this act as follows:

(A) If the applicant and the fee simple owner are one and the same person and the applicant is constructing a proposed structure or facility or altering any existing structure or facility, then the applicant shall provide the information mandated by this subsection to the initial purchaser of the real property;

(B) If the applicant is not the fee simple owner of the real property and has entered into a contract with the fee simple owner to construct a structure or facility or alter any existing structure or facility, then the applicant shall provide the information mandated by this subsection to the fee simple owner of such real property; provided that if the structure or facility is being constructed or altered for the purpose of sale or resale, then the fee simple owner shall provide the information mandated by this subsection to the initial purchaser of the real property.

(4) The department shall determine whether the proposed construction or alteration will result in the reclassification of the hazard category of such dam or the classification of such dam, if the dam has not previously been classified. Using analysis methods acceptable to the commissioner, anyone building downstream of a dam such that the construction may raise the hazard potential category of the dam will have to submit to the commissioner a dam failure analysis by an engineer with the qualifications listed in 69-12-106(b) showing the areas inundated by the failure.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Garrett moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 110 by deleting in its entirety subdivision (b)(2) of the bill, as amended, and by substituting instead the following language:

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(2) Prior to issuing a building permit to construct any proposed structure or facility or to alter any existing structure or facility located downstream from an existing dam, the local government, or appropriate agency thereof, shall inform the applicant that the proposed construction or alteration could potentially be affected by the failure of such dam and thus the hazard category of such dam may be reclassified.

AND FURTHER AMEND by adding the following language as subdivision (3) to subsection (b) and renumbering the remaining subdivisions appropriately:

(3) The applicant shall inform the real property owner in accordance with section (b)(2) of this act as follows:

(A) If the applicant and the fee simple owner are one and the same person and the applicant is constructing a proposed structure or facility or altering any existing structure or facility for the purpose of sale, then the applicant shall provide the information mandated by this subsection to the initial purchaser of the real property;

(B) If the applicant is not the fee simple owner of the real property and has entered into a contract with the fee simple owner to construct a structure or facility or alter any existing structure or facility, then the applicant shall provide the information mandated by this subsection to the fee simple owner of such real property; provided that if the structure or facility is being constructed or altered for the purpose of sale or resale, then the fee simple owner shall provide the information mandated by this subsection to the initial purchaser of the real property.

On motion, Conservation and Environment Committee Amendment No. 2 was adopted.

Rep. McDonald moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. McDonald moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 110 by deleting section 1(a) of the bill in its entirety and substituting instead the following:

The commissioner of the department of environment and conservation shall provide to the county executive of each county of the state an inventory of the existing dams located in such county. The county executive shall provide such information to any agency of the county or of local governments within the county that requires the issuance of a building permit prior to either the initiation of construction of a structure or facility, or the alteration of an existing structure or facility.

On motion, Amendment No. 4 was adopted.

Rep. McDonald moved that **House Bill No. 110**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes96
Noes0
Present and not voting1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Vincent -- 1.

A motion to reconsider was tabled.

House Bill No. 875 -- Insurance, Health, Accident - Enacts "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act." Amends TCA Title 56. by *Kisber, *Jones, S.. (*SB333 by *Clabough)

Further consideration of House Bill No. 875 previously considered on today's Calendar.

Rep. Kisber moved that House Bill No. 875 be reset for the Regular Calendar on May 28, 2001, which motion prevailed.

***Senate Bill No. 40** -- Sunset Laws - Judicial selection commission, June 30, 2007; limits members to two terms. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Harper. (HB1614 by *Kernell, *Brooks, *Cooper B)

Further consideration of Senate Bill No. 40 previously considered on today's Calendar at which time the House placed Amendment(s) No(s) 1 and 2 at the heel of the Amendments and was on the motion to adopt Amendment(s) No. 3.

Rep. Brooks moved that Senate Bill No. 40 be passed on third and final consideration.

Rep. Davidson moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Brooks moved that Senate Bill No. 40 be reset for the Regular Calendar on May 23, 2001, which motion prevailed.

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***House Bill No. 1383** -- Boards and Commissions - Authorizes division of health related boards and subordinate boards to use screening panels to filter complaints. Amends TCA Title 63 and Title 68. by *Hagood, *Boyer. (SB1660 by *Rochelle, *Atchley)

Further consideration of House Bill No. 1383 previously considered on today's Calendar at which time the House adopted Amendment(s) No(s) 1 and 2.

Rep. Hagood moved that House Bill No. 1383 be reset for the Regular Calendar on May 23, 2001, which motion prevailed.

House Bill No. 1339 -- Medical Occupations - Specifies that upon submission of application and appropriate fees, emergency medical services license to be issued if applicant is Tennessee resident, is employed by service operating in Tennessee, or is non-resident licensed in another state, in good standing, if applicant's state of residence grants same or similar reciprocity privileges to Tennessee residents licensed and in good standing. Amends TCA Title 68, Chapter 140, Part 5. by *Shepard. (*SB1291 by *Cooper J)

Further consideration of House Bill No. 1339 previously considered on today's Calendar.

On motion, House Bill No. 1339 was made to conform with **Senate Bill No. 1291**; the Senate Bill was substituted for the House Bill.

Rep. Shepard moved that Senate Bill No. 1291 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1291 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-140-514, is amended by designating the existing language as subsection (a) and by adding the following as subsection (b):

(b)(1) All materials, documents, and other matters relating to, compiled or created in the course of an investigation conducted by the department pursuant to this section shall be exempt from the public records act until the filing of a notice of charges. After the filing of a notice of charges, only the information and those materials and documents upon which the charges are based are available for disclosure under the public records act; provided, that the identifying information of the following, as well as all investigator created documents and reports, shall remain confidential at all times unless and until introduced in the proceedings of a hearing conducted by the board:

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- (A) A complainant;
- (B) Any witness who requests anonymity;
- (C) A patient; and
- (D) Medical records.

(2) This section does not modify or limit the prehearing discovery provisions set forth in the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

SPECIAL ORDER

Rep. L. DeBerry moved that **Senate Bill No. 1291** be reset for the Regular Calendar on May 23, 2001 and placed behind House Bill No. 1383, which motion prevailed.

RULES SUSPENDED

Rep. Chumney moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 441 out of order, which motion prevailed.

House Joint Resolution No. 441 -- Memorials, Professional Achievement - Marion Griffin, first female admitted to practice law in Tennessee and first woman to serve in the Tennessee General Assembly. by *Chumney.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Chumney, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1651** -- Public Records - Exempts general assembly from records management act. Amends TCA Title 10, Chapter 7. by *Davidson. (SB1896 by *Cooper J)

Senate Amendment No. 2

AMEND House Bill No. 1651 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not be construed to discontinue the general assembly's practice of sending original bill records and rough journals to the state library and archives for permanent retention.

Rep. Davidson moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1651**, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1896** -- Physicians and Surgeons - Enacts "Intractable Pain Treatment Act." Amends TCA Title 39, Title 53, Title 63 and Title 68. by *Maddox. (SB1869 by *Herron)

Senate Amendment No. 2

AMEND House Bill No. 1896 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, is amended by adding Sections 2 through 11, inclusive as a new part to be appropriately designated.

SECTION 2. This part may be known and cited as the "Intractable Pain Treatment Act".

SECTION 3. For the purposes of this part:

(1) "Board" means the board of medical examiners.

(2) "Chemical dependency" means:

(A) the abuse of alcohol or a controlled substance;

(B) a pathological use of alcohol or a controlled substance that chronically impairs the applicant's ability to competently provide legal advice or services; or

(C) a physiological or physical dependence on alcohol or a controlled substance.

(3) "Intractable pain" means a pain state in which the cause of the pain cannot be removed or otherwise treated and which in the generally accepted course of medical practice no relief or cure of the cause of the pain is possible or none has been found after reasonable efforts.

(4) "Physician" means a physician licensee of the board of medical examiners or an osteopathic physician.

SECTION 4. The general assembly finds and declares all of the following:

(a) The state has a right and duty to control the illegal use of opiate drugs

(b) Inadequate treatment of acute and chronic pain originating from cancer or non-cancerous conditions is a significant health problem.

(c) For some patients, pain management is the single most important treatment a physician can provide.

(d) A patient suffering from severe chronic intractable pain should have access to proper treatment of his or her pain.

(e) Due to the complexity of their problems, many patients suffering from severe chronic intractable pain may require referral to a physician with expertise in the treatment of severe chronic intractable pain. In some cases, severe chronic intractable pain is best treated by a team of clinicians in order to address the associated physical, psychological, social, and vocational issues.

(f) In the hands of knowledgeable, ethical, and experienced pain management practitioners, opiates administered for severe acute and severe chronic intractable pain can be safe.

(g) Opiates can be an accepted treatment for patients in severe chronic intractable pain who have not obtained relief from any other means of treatment.

(h) A patient suffering from severe chronic intractable pain has the option to request or reject the use of any or all modalities to relieve his or her severe chronic intractable pain.

(i) A physician treating a patient who suffers from severe chronic intractable pain may prescribe a dosage deemed medically necessary to relieve severe chronic intractable pain as long as the prescribing is in conformance with the provisions of this part.

(j) A patient who suffers from severe chronic intractable pain has the option to choose opiate medication for the treatment of the severe chronic intractable pain as long as a physician has first determined that such treatment is appropriate and medically necessary and the prescribing is in conformance with the provisions of this part.

(k) The patient's physician may refuse to prescribe opiate medication for a patient who requests the treatment for severe chronic intractable pain. However, that physician shall inform the patient that there are physicians whose primary practices are the treatment of severe chronic intractable pain with methods that include the use of opiates.

SECTION 5. This section may be known and cited as the "Pain Patient's Bill of Rights".

(a) A patient suffering from severe chronic intractable pain has the option to request or reject the use of any or all modalities in order to relieve his or her severe chronic intractable pain.

(b) A patient who suffers from severe chronic intractable pain has the option to choose opiate medications to relieve severe chronic intractable pain without first having to submit to an invasive medical procedure, which is defined as surgery, destruction of a nerve or other body tissue by manipulation, or the implantation of a drug delivery system or device, as long as the prescribing physician acts in conformance with the provisions of this part.

(c) The patient's physician may refuse to prescribe opiate medication for the patient who requests a treatment for severe chronic intractable pain. However, that physician shall inform the patient that there are physicians who specialize in the treatment of severe chronic intractable pain with methods that include the use of opiates.

(d) A physician who uses opiate therapy to relieve severe chronic intractable pain may prescribe a dosage deemed medically necessary to relieve severe chronic intractable pain, as long as that prescribing is in conformance with this part.

(e) A patient may voluntarily request that his or her physician provide an identifying notice of the prescription for purposes of emergency treatment or law enforcement identification.

(f) Nothing in this section shall do either of the following:

(1) Limit any reporting or disciplinary provisions applicable to licensed physicians and surgeons who violate prescribing practices or other provisions set forth in Tennessee Code Annotated, Title 63, Chapter 6, or the regulations adopted thereunder.

(2) Limit the applicability of any federal statute or federal regulation or any of the other statutes or regulations of this state that regulate dangerous drugs or controlled substances.

SECTION 6. Notwithstanding any other provision of law, a physician may prescribe or administer dangerous drugs or controlled substances to a person in the course of the physician's treatment of a person for intractable pain to provide adequate pain treatment.

SECTION 7.

(a) No physician may be subject to disciplinary action by the board for prescribing or administering appropriate amounts, combinations, or durations of dangerous drugs or controlled substances in the course of treatment of a person for intractable pain.

(b) The board is authorized to set by rule guidelines to govern treatment under this part. Such guidelines may include requirements for documented medical history, written treatment plans, discussion of benefits and risks of the treatment, periodic review, and the keeping of appropriate records. Such guidelines may be in addition to specific requirements for persons with substance abuse issues governed by Section 9 of this part.

SECTION 8.

(a) Notwithstanding any other provision of this part, subsections (c) and (d) of this section shall govern the treatment of persons for chemical dependency by a physician because of their use of dangerous drugs or controlled substances.

(b) The provisions of this part provide no authority to a physician to prescribe or administer dangerous drugs or controlled substances to a person for other than legitimate medical purposes as defined by the board and who the physician knows or should know to be using drugs for nontherapeutic purposes.

(c) The provisions of this part authorize a physician to treat a patient who develops an acute or chronic painful medical condition with a dangerous drug or a controlled substance to relieve the patient's pain using appropriate doses, for an appropriate length of time, and for as long as the pain persists. A patient under this subsection includes a person who:

(1) is a current drug abuser;

(2) is not currently abusing drugs but has a history of drug abuse; or

(3) lives in an environment that poses a risk for drug misuse or diversion of the drug to illegitimate use.

(d) A physician who treats a patient under subsection (c) of this section shall monitor the patient to ensure the prescribed dangerous drug or controlled substance is used only for the treatment of the patient's painful medical condition. To ensure that the prescribed dangerous drug or controlled substance is not being diverted to another use and the appropriateness of the treatment of the patient's targeted symptoms, the physician shall:

(1) specifically document:

(A) the understanding between the physician and patient about the patient's prescribed treatment;

(B) the name of the drug prescribed;

(C) the dosage and method of taking the prescribed drug;

(D) the number of dose units prescribed; and

(E) the frequency of prescribing and dispensing the drug; and

(2) consult with a psychologist, psychiatrist, expert in the treatment of addictions, or other health care professional, as appropriate.

SECTION 9. Nothing in this part shall deny the right of the board of medical examiners to cancel, revoke, or suspend the license of any physician who:

(1) prescribes, administers, or dispenses a drug or treatment for other than legitimate medical purposes as defined by the board and that is nontherapeutic in nature or nontherapeutic in the manner the drug or treatment is administered or prescribed;

(2) fails to keep complete and accurate records of purchases and disposals of drugs as provided by law, or of controlled substances scheduled in the federal Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C.A. Section 801 et seq. (Public Law 91-513), including records of:

(A) the date of purchase;

(B) the sale or disposal of the drugs by the physician;

(C) the name and address of the person receiving the drugs; and

(D) the reason for the disposal of or the dispensing of the drugs to the person;

(3) writes false or fictitious prescriptions for dangerous drugs, for controlled substances scheduled in the Tennessee Drug Act, Tennessee Code Annotated, Title 39, Chapter 17, Part 4, or for controlled substances scheduled in the federal Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C.A. Section 801 et seq. (Public Law 91-513); or

(4) prescribes, administers, or dispenses in a manner not consistent with public health and welfare dangerous drugs under Tennessee Code Annotated, Title 39, Chapter 17, Part 4, controlled substances scheduled in the Tennessee Drug Act, Tennessee Code Annotated, Title 39, Chapter 17, Part 4, or controlled substances scheduled in the federal Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C.A. Section 801 et seq. (Public Law 91-513).

SECTION 10. This act is not intended nor shall it be interpreted to allow for the prescription of any illegal substance to any patient or person at any time in violation of federal law.

SECTION 11. The board of medical examiners is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5. Existing rules not inconsistent with the provisions of this act shall remain in effect until modified by the board.

SECTION 12. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Maddox moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1896**, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

Senate Amendment No. 3

AMEND House Bill No. 1896 by adding the following as Section 10 to the bill as amended and by renumbering the current Section 10 and the remaining sections accordingly:

SECTION 10. Any physician who practices pain management shall also be able to hire physician assistants to assist them in their practice. Any of these assistants shall be a licensed physician assistant according to the requirements in Section 63-19-105(a) except for any person who meets the following requirements:

- (a) Is 65 years of age or older;
- (b) Was granted a degree in pre-medical studies in 1960;
- (c) Was granted a Master of Science Degree from the University of Tennessee in 1990;
- (d) Was an instructor and assistant professor during the time period 1977-97 at East Tennessee State University in Surgical Technology;
- (e) Was an instructor in surgical techniques and instruments to medical students and surgical residents at the Quillen College of Medicine at East Tennessee State University;
- (f) Met the standards and qualifications of the American Association of Physician Assistants in March of 1976 and was rated as "physicians assistant – SP-2";
- (g) Satisfactorily completed the postgraduate course "clinical skills for physicians' assistants V" in September 1977 from the Hahnemann Medical College and Hospital in Philadelphia, Pennsylvania;

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(h) Held an "assistants renewal certificate" issued by the Virginia Board of Medicine from July 1, 1977 to June 30, 1978; and

(i) Was recognized as a "Certified Surgical Assistant" by the National Surgical Assistant Association in May of 1987.

Such person shall be issued a license within sixty (60) days upon submission of evidence to the board of medical examiners that such person met all of the above criteria. Provided however, that such person shall only work under the supervision of one physician who is in the sole practice of pain management and rehabilitation medicine. Such person's duties shall only include helping the physician examine patients in the physician's office, doing diagnostic E.M.Gs, ordering appropriate lab and x-rays studies, seeing the physician's hospital patients on hospital rounds and writing orders to be countersigned by such physician, but, at no time shall this person be allowed to prescribe medicine. Such person shall also have the ability to work under a physician, who is in the sole practice of pain management and rehabilitation medicine, while performing extensive medical missionary trips in underprivileged countries. Any continuing education requirements for a person meeting the above criteria shall not be waived.

Rep. Maddox moved that the House concur in Senate Amendment(s) No(s). 3 to **House Bill No. 1896**, which motion prevailed by the following vote:

Ayes	67
Noes	16
Present and not voting	7

Representatives voting aye were: Armstrong, Baird, Bittle, Bone, Bowers, Briley, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones U, Kent, Kisber, Langster, Maddox, McDonald, McKee, McMillan, Miller, Mumpower, Overbey, Patton, Phelan, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Scroggs, Sharp, Shaw, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), West, Westmoreland, White, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 67.

Representatives voting no were: Beavers, Black, Boyer, Brooks, Brown, Caldwell, Ferguson, McCord, McDaniel, Montgomery, Sargent, Shepard, Turner (Davidson), Vincent, Windle, Wood -- 16.

Representatives present and not voting were: Clem, Cooper, Dunn, Hargett, Odom, Pleasant, Towns -- 7.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 623** -- General Assembly - Creates joint select committee on business taxation. Amends TCA Title 3, Chapter 15. by *Kisber. (SB1495 by *Rochelle)

Senate Amendment No. 1

AMEND House Bill No. 623 by adding the following at the end of Section 8 of the printed bill:

This act shall be void and shall cease to be of effect June 30, 2009.

Rep. Kisber moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 623**, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

***House Bill No. 680** -- Anatomical Gifts - Redefines requirements for making, amending, revoking and refusing to make anatomical gifts. Amends TCA Title 68, Chapter 30. by *Williams (Williamson), *Garrett. (SB1361 by *Jackson)

Rep. Williams moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 2 to **House Bill No. 680**, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 680

Pursuant to **Rule No. 73**, Representative Williams moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 680, which motion prevailed.

The Speaker appointed Representatives Williams, Garrett and Newton as the House members of the Conference Committee on House Bill No. 680.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for May 21, 2001:

House Resolution No. 109 -- Memorials, Retirement - Mary Lou Wenisch. by *Hood, *Beavers, *Rowland.

House Resolution No. 110 -- Memorials, Retirement - Margaret Jones. by *Rowland, *Hood, *Beavers.

House Resolution No. 111 -- Memorials, Retirement - Sandra Rotker. by *Rowland, *Hood, *Beavers.

House Resolution No. 112 -- Memorials, Retirement - Joe Henry Akins. by *Rowland, *Hood, *Beavers.

House Resolution No. 113 -- Memorials, Retirement - Mary Katherine Simpson. by *Rowland, *Hood, *Beavers.

House Resolution No. 114 -- Memorials, Retirement - Linda Williams. by *Hood, *Beavers, *Rowland.

House Resolution No. 115 -- Memorials, Retirement - Charles Wendell Cavin. by *Roach.

House Resolution No. 116 -- Memorials, Interns - Meagan Frazier. by *Garrett, *Odom, *Tidwell, *Shepard, *Ridgeway.

House Resolution No. 117 -- Memorials, Academic Achievement - Dana Davis, High School Graduate. by *Mumpower, *Godsey, *Davis (Washington).

House Resolution No. 118 -- Memorials, Professional Achievement - Bambi Akard, Vice President of Akard Funeral Home in Bristol. by *Godsey, *Mumpower.

House Resolution No. 120 -- Memorials, Interns - John Pastor. by *Pinion, *Shepard, *Briley.

House Resolution No. 121 -- Memorials, Retirement - Janice M. Shelby. by *Sargent, *Williams (Williamson).

House Resolution No. 122 -- Memorials, Sports - Battle Ground Academy girls' soccer team, TSSAA state champions. by *Sargent.

House Joint Resolution No. 401 -- Memorials, Interns - Fred Agee. by *Buttry.

House Joint Resolution No. 402 -- Memorials, Academic Achievement - Amy Robinson, Salutatorian, Campbell County High School. by *Baird.

House Joint Resolution No. 403 -- Memorials, Academic Achievement - Terra E. Clotfelter, Valedictorian, Campbell County High School. by *Baird, *Goins.

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House Joint Resolution No. 404 -- Memorials, Academic Achievement - Courtney Day, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 405 -- Memorials, Academic Achievement - Heather Stooksbury, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 406 -- Memorials, Academic Achievement - Abbi Beth Kincaid, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 407 -- Memorials, Academic Achievement - Fowlen N. Bailey, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 408 -- Memorials, Academic Achievement - Jennifer K. Wilson, Valedictorian, Campbell County High School. by *Goins.

House Joint Resolution No. 409 -- Memorials, Academic Achievement - Jessica Longmire, Salutatorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 410 -- Memorials, Academic Achievement - Kristy Louise Goins, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 411 -- Memorials, Academic Achievement - Richard Todd Evans, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 412 -- Memorials, Academic Achievement - Angel Chadwell, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 413 -- Memorials, Academic Achievement - Carrie Elizabeth Harris, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 414 -- Memorials, Academic Achievement - Rebekah Meredith, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 415 -- Memorials, Academic Achievement - Rebecca Mongar, Salutatorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 416 -- Memorials, Academic Achievement - Kenneth Goins, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 417 -- Memorials, Recognition - Walter Barton Herbison. by *Ridgeway.

House Joint Resolution No. 418 -- Memorials, Recognition - Keith Family Reunion. by *Shepard.

House Joint Resolution No. 419 -- Memorials, Interns - Christopher Whittaker. by *Beavers.

House Joint Resolution No. 420 -- Memorials, Academic Achievement - Sara G. Young, Salutatorian, Rhea County High School. by *Walker.

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House Joint Resolution No. 421 -- Memorials, Academic Achievement - Brent Reed, Valedictorian, Rhea County High School. by *Walker .

House Joint Resolution No. 422 -- Memorials, Interns - Alyssa Brandon. by *Brooks, *Cooper B.

House Joint Resolution No. 423 -- Memorials, Interns - Bintou Njie. by *Brooks, *Cooper B.

House Joint Resolution No. 424 -- Memorials, Interns - Bharath Subramanian. by *Brooks, *Cooper B.

House Joint Resolution No. 426 -- Memorials, Death - E. Magdalene Rohr. by *Mumpower.

House Joint Resolution No. 427 -- Memorials, Recognition - Esco L. Owens. by *Baird.

House Joint Resolution No. 428 -- Memorials, Recognition - David H. Levy. by *Hagood, *Garrett.

House Joint Resolution No. 429 -- Memorials, Interns - Elizabeth Tramel. by *Westmoreland, *Sargent, *Patton, *Whitson.

House Joint Resolution No. 430 -- Memorials, Interns - Tracy Tipton. by *Buck, *McMillan, *Sands.

House Joint Resolution No. 431 -- Memorials, Personal Achievement - John "Jack" Freed Dean, Jr., Eagle Scout. by *Sargent.

House Joint Resolution No. 432 -- Memorials, Recognition - Bill Anderson. by *West.

SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 109 -- Memorials, Retirement - Mary Lou Wenisch. by *Hood, *Beavers, *Rowland.

House Resolution No. 110 -- Memorials, Retirement - Margaret Jones. by *Rowland, *Hood, *Beavers.

House Resolution No. 111 -- Memorials, Retirement - Sandra Rotker. by *Rowland, *Hood, *Beavers.

House Resolution No. 112 -- Memorials, Retirement - Joe Henry Akins. by *Rowland, *Hood, *Beavers.

House Resolution No. 113 -- Memorials, Retirement - Mary Katherine Simpson. by *Rowland, *Hood, *Beavers.

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House Resolution No. 114 -- Memorials, Retirement - Linda Williams. by *Hood, *Beavers, *Rowland.

House Resolution No. 115 -- Memorials, Retirement - Charles Wendell Cavin. by *Roach.

House Resolution No. 116 -- Memorials, Interns - Meagan Frazier. by *Garrett, *Odom, *Tidwell, *Shepard, *Ridgeway.

House Resolution No. 117 -- Memorials, Academic Achievement - Dana Davis, High School Graduate. by *Mumpower, *Godsey, *Davis (Washington).

House Resolution No. 118 -- Memorials, Professional Achievement - Bambi Akard, Vice President of Akard Funeral Home in Bristol. by *Godsey, *Mumpower.

House Resolution No. 120 -- Memorials, Interns - John Pastor. by *Pinion, *Shepard, *Briley.

House Resolution No. 121 -- Memorials, Retirement - Janice M. Shelby. by *Sargent, *Williams (Williamson).

House Resolution No. 122 -- Memorials, Sports - Battle Ground Academy girls' soccer team, TSSAA state champions. by *Sargent.

House Joint Resolution No. 401 -- Memorials, Interns - Fred Agee. by *Buttry.

House Joint Resolution No. 402 -- Memorials, Academic Achievement - Amy Robinson, Salutatorian, Campbell County High School. by *Baird.

House Joint Resolution No. 403 -- Memorials, Academic Achievement - Terra E. Clotfelter, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 404 -- Memorials, Academic Achievement - Courtney Day, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 405 -- Memorials, Academic Achievement - Heather Stooksbury, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 406 -- Memorials, Academic Achievement - Abbi Beth Kincaid, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 407 -- Memorials, Academic Achievement - Fowlen N. Bailey, Valedictorian, Campbell County High School. by *Baird, *Goins.

House Joint Resolution No. 408 -- Memorials, Academic Achievement - Jennifer K. Wilson, Valedictorian, Campbell County High School. by *Goins.

House Joint Resolution No. 409 -- Memorials, Academic Achievement - Jessica Longmire, Salutatorian, Campbell County High School. by *Goins, *Baird.

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House Joint Resolution No. 410 -- Memorials, Academic Achievement - Kristy Louise Goins, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 411 -- Memorials, Academic Achievement - Richard Todd Evans, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 412 -- Memorials, Academic Achievement - Angel Chadwell, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 413 -- Memorials, Academic Achievement - Carrie Elizabeth Harris, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 414 -- Memorials, Academic Achievement - Rebekah Meredith, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 415 -- Memorials, Academic Achievement - Rebecca Mongar, Salutatorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 416 -- Memorials, Academic Achievement - Kenneth Goins, Valedictorian, Campbell County High School. by *Goins, *Baird.

House Joint Resolution No. 417 -- Memorials, Recognition - Walter Barton Herbison. by *Ridgeway.

House Joint Resolution No. 418 -- Memorials, Recognition - Keith Family Reunion. by *Shepard.

House Joint Resolution No. 419 -- Memorials, Interns - Christopher Whittaker. by *Beavers.

House Joint Resolution No. 420 -- Memorials, Academic Achievement - Sara G. Young, Salutatorian, Rhea County High School. by *Walker .

House Joint Resolution No. 421 -- Memorials, Academic Achievement - Brent Reed, Valedictorian, Rhea County High School. by *Walker .

House Joint Resolution No. 422 -- Memorials, Interns - Alyssa Brandon. by *Brooks, *Cooper B.

House Joint Resolution No. 423 -- Memorials, Interns - Bintou Njie. by *Brooks, *Cooper B.

House Joint Resolution No. 424 -- Memorials, Interns - Bharath Subramanian. by *Brooks, *Cooper B.

House Joint Resolution No. 426 -- Memorials, Death - E. Magdalene Rohr. by *Mumpower.

House Joint Resolution No. 427 -- Memorials, Recognition - Esco L. Owens. by *Baird.

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House Joint Resolution No. 428 -- Memorials, Recognition - David H. Levy. by *Hagood, *Garrett.

House Joint Resolution No. 429 -- Memorials, Interns - Elizabeth Tramel. by *Westmoreland, *Sargent, *Patton, *Whitson.

House Joint Resolution No. 430 -- Memorials, Interns - Tracy Tipton. by *Buck, *McMillan, *Sands.

House Joint Resolution No. 431 -- Memorials, Personal Achievement - John "Jack" Freed Dean, Jr., Eagle Scout. by *Sargent.

House Joint Resolution No. 432 -- Memorials, Recognition - Bill Anderson. by *West.

Rep West moved that all members voting aye on House Joint Resolution No. 432 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Supplemental Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Supplemental Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. McDonald moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 348 out of order, which motion prevailed.

Senate Joint Resolution No. 348 -- Memorials, Retirement - Elaine Fitt. by *Graves.

On motion of Rep. McDonald, the resolution was concurred in.

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A motion to reconsider was tabled.

BILL HELD ON DESK

Rep. Kisber moved that House Bill No. 2016 be held on the Clerk's desk, which motion prevailed.

ANNOUNCEMENTS

RULES SUSPENDED

Rep. Curtiss moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 344 out of order, which motion prevailed.

Senate Joint Resolution No. 344 -- Memorials, Retirement - Dane C. Sorrell. by *Davis L.

On motion of Rep. Curtiss, the resolution was concurred in.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 96: Rep(s). Rinks as prime sponsor(s).

House Joint Resolution No. 337: Rep(s). Cole (Carter), Garrett, Armstrong and Kent as prime sponsor(s).

House Bill No. 75: Rep(s). Armstrong as prime sponsor(s).

House Bill No. 546: Rep(s). Arriola as prime sponsor(s).

House Bill No. 712: Rep(s). McMillan as prime sponsor(s).

House Bill No. 1460: Rep(s). Arriola as prime sponsor(s).

**MESSAGE FROM THE SENATE
May 21, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 70 and 1133; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

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**MESSAGE FROM THE SENATE
May 21, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 151; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE
May 21, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 746, 991 and 1402; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS
May 21, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 209, 375, 394, 395, 396, 398, 399, 400 and 441.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
May 21, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 429, 430, 431 and 432.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
May 21, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 110, 561, 743, 1385, 1838, 2011 and 2012.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 21, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1242; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

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MESSAGE FROM THE SENATE

May 21, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 441; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

May 21, 2001

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 120, 121 and 122; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 21, 2001

The Speaker signed the following: House Resolution(s) No(s). 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 120, 121 and 122.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 1:00 p.m., Wednesday, May 23, 2001.